

### **MINUTES OF MEETING AUGUST 3, 2004**

The telephone conference call meeting convened at 12:04 PM on Tuesday, August 3, 2004. The following were present at the roll call:

Margaret Colucci, DC, Vice President  
Bobby Lazenby, Consumer Member  
Donald H. Miner, DC, Secretary  
Clyde Porter, DC, Member  
Ian Yamane, DC, Member  
Stephanie Youngblood, DC, President

Also present were Craig Foreman, DC, Susan Fisher and CPBN Executive Director, Cindy Wade.

**AGENDA ITEM 1** Dr. Youngblood determined that a quorum of the Board was present and called the meeting to order.

**AGENDA ITEM 2** Dr. Miner moved for approval of the agenda. Dr. Colucci seconded and the motion passed unanimously.

**AGENDA ITEM 3A** Dr. Youngblood described Complaint 04-6 as a billing dispute filed by mother and daughter patients because the DC had not informed them that they would have to pay for additional treatment beyond the limits of their med pay. The DC has a signed lien and had offered a 20% reduction on the balance due him, which was refused. The case records indicate no inappropriate billing practices. Dr. Youngblood recommended dismissal because there was no violation. Dr. Porter moved to dismissed the complaint, Dr. Colucci seconded and the motion passed unanimously.

**AGENDA ITEM 3B** Dr. Porter reviewed Complaint 04-10 which was included with two other complaints at the last meeting but should have been separated from them. This complaint was a billing dispute which has been satisfactorily resolved with the DC's office. There were some HIPAA issues which are not within the CPBN's jurisdiction. Dr. Porter recommended the complaint be dismissed. Dr. Colucci moved for dismissal of this complaint. Dr. Yamane seconded and the motion passed unanimously.

**AGENDA ITEM 3C** Dr. Colucci explained that Complaint 04-15 was filed by a massage therapist who had worked for a DC for 3 months without being registered with the Board. The complainant stated that SOAP notes were not kept for her treatments because the DC did not want anything documented as she wasn't on record with the Board. In Dr. Colucci's conversation with the complainant, other issues were mentioned that are not included in the original complaint. Dr. Colucci instructed her to file an additional complaint if she can substantiate the charges. Dr. Porter moved to refer this complaint to the AG for improper employment of a non-registered person to perform massage in a DC's office. Dr. Yamane seconded and the motion passed unanimously.

**AGENDA ITEM 4** Dr. Youngblood stated that for several years the Board was served by a contracted lobbyist, however, during the 2003 Legislature the CPBN had no lobbyist to support its bill and Drs. Porter and Davis utilized the professional association's lobbyist, Tom Skancke, for this purpose.

Dr. Porter acknowledged this but stated that Mr. Skancke was not paid. Dr. Youngblood asked if this was a favor to the Board. Dr. Porter stated that it was a favor to the association and to the Board. Dr. Youngblood stated that unless a Board member wants to take this on, the Board needs a lobbyist and moved that the Board hire a lobbyist. Dr. Miner seconded the motion. Susan Fisher presented the reasons she would be a good lobbyist for the Board.

Dr. Porter stated that he has discussed this issue with Randolph Townsend and has determined that it is not necessary for a lobbyist to be present at the Legislature at all times. He stated that the Board's office has been short staffed for the past eight months or the Executive Director could handle the Board's bill at the Legislature. Dr. Porter read additional comments into the record (see attached). He stated that there is not sufficient evidence to justify the Board's need for a lobbyist.

Dr. Miner stated that is important to avoid any perception of a conflict by using the Association's lobbyist. Dr. Yamane stated that Drs. Porter and Davis, the Board's AG and the Legislative Council Bureau all worked on the Board's 2003 bill and asked Cindy if she could do what they did? Cindy responded that she can do the drafting but none of this is in her job description. She questioned that the Board would want her to be out of the office that much during the six-month Legislative session.

Under Board Comments, Dr. Porter expressed his concern that there was no AG present as counsel for this meeting.

The motion passed with all in favor except Dr. Porter, who was opposed.

There was no public comment and the meeting adjourned at 1:10 PM.